

D-R-A-F-T
CITY OF ROCKLAND
PLANNING BOARD
Minutes of Meeting
April 2, 2013

Board Present: Chairman E. Laustsen, W. Bodine, K. Swan, G. Terrien, and P. vanVuuren

Board Absent: None

Staff Present: Code Enforcement Officer J. Root and Secretary D. Sealey

The Chairman called the meeting to order at 5:17 P.M. and reviewed the agenda.

Previous Meeting Minutes: 3/5/13

ACTION: Mr. Terrien made a motion to approve the 3/5/13 minutes.
Carried 5-0-0

Public Comment: None

Communications: Chair Laustsen said the board had found on their desks a landscape design for the Navigator Motor Inn.

Old Business:

Navigator Motor Inn (Liberty Hospitality of Maine, LLC) - 520 Main St. – Application to Change 9 Existing Motel Rooms into 3 Condominium Units (Residences at Summer and Maine) – Tax Map #4-A-3 - Final Subdivision Review: Architect John Hansen and owner Robert Liberty represented the application before the PB. Mr. Hansen said the submitted landscape design addressed the area near the business sign and at the sidewalk, not delineated on the last plan. In addition, the Beal survey drawing had been updated with catch basins and manholes shown.

Chair Laustsen asked Mr. Hansen if he had met with City personnel to discuss the Public Works concern regarding a drainage issue. Mr. Hansen replied that he had looked into the issue and found that water crossing the sidewalk was the result of slipping or settlement of the crosswalk. Mr. Liberty had met with the City Manager and reported that none of the issues originated from his property, but rather resulted from frost action or a new drain on Summer St. Greg Blackwell had informed him that MDOT would work on Main St. this summer and he would try to make changes at that time. Mr. Terrien said that if repaving Main St. didn't work, the PB accepted the statements of City Manager Smith and Public Works Director Blackwell that, concerning drainage problems, the PB was relying on their statements in moving forward for review.

Mr. Laustsen said all submissions had been received for the final review and permanent markers were in place on site. Mr. Hansen stated that he had been forced to modify the location of the future elevator due to the proximity of the boiler room. The survey now showed the water entrance coming from Talbot Ave., but this location would be changed when the elevator was installed. Mr. Terrien commented that the plan noted the elevator "need not be built."

Mr. Hansen said the statement of compliance with regulations and financial capacity letter were supposed to be delivered with the condominium documents, but had gotten lost in the shuffle. They would be submitted ASAP.

Mr. Bodine asked if the PB considered this plan Phase 1 and Mr. Liberty answered in the affirmative. Mr. Hansen said City Attorney Beal was reviewing the condominium documents. Catch basins missing from the plan had been addressed. Mr. Liberty said the dumpster would be screened.

Mr. Terrien asked if the four storage units between Units 2 and 3 were limited common areas and Mr. Hansen answered in the affirmative. Mr. Terrien suggested they be shown on the plan as such if they were part of the condominium documents.

Mr. Swan said he had been expecting a more detailed landscape plan and had hoped the landscaping would go much further south to Summer St. He also wanted higher vegetation to mask the cars. Mr. Liberty said he planned to match the little fence the City would place on the opposite side of the street. He said the landscaping extended to the first driveway entrance on Main St. Mr. Liberty said he had thought that the discussion at the last meeting had concerned the area now landscaped with shrubbery. Mr. Terrien agreed with Mr. Swan that he thought the corner of Main St. and Summer St. had been discussed.

Mr. Terrien said the landscape plan and its dimensions should be on the site plan. Chair Laustsen noted that there were requirements for landscaping in parking lots. Mr. Liberty said he was unable to stop local business people from parking on his lot and moving the landscaping to the corner would simply cause them to move their cars up the street to his other parking spaces. Mr. Hansen explained that if parking spaces #14-19 were moved back 4' for plantings, two or three spaces would be lost.

Mr. Bodine asked Mr. Liberty for his perception of the entrance to his business. Mr. Liberty responded that people turned into Summer St. and then into his lot, though the planting beds could continue down to that section. Mr. Laustsen said that would probably solve the problem. Mr. Hansen said at Summer St. the planter could be only 4' wide and would loop around the corner.

ACTION: Ms. vanVuuren made a motion to accept the final plan application as complete with the condition that the following items be submitted: condominium documents and covenants, letter of compliance with regulations, financial statement, and a detailed landscape plan for the area from Main St. to Summer St.
Carried 5-0-0

New Business:

A. Orchid LLC – 24 Lincoln Street – Application for Site Plan Review for Conditional Use to Operate a Cultural, Arts & Live Arts Center – Tax Map #22-D-4: The application was represented by developer Mario Abaldo and architect Jason Merriam. The application proposed continuing the previous use of the building at 24 Lincoln Street as a conditional use. The developer said their Site Plan SP1.1 reorganized the existing parking lot, added outside lighting, and involved repaving. Mr. Abaldo explained some mitigations concerning water damage to the building and said it was his opinion that the building was not as “sick” as some people had claimed. There followed a lengthy discussion of the building’s problems and what had been done to solve them.

Chair Laustsen said the board’s main concerns were parking, landscaping, and buffering. CEO Root asked Mr. Abaldo if he had an easement to use the McLain School lot for parking. The developer replied that there were 112 parking spaces on his property and satellite parking at two locations, including McLain, available for large events. Ms. vanVuuren noted that the earlier conversion of the building had required nailing down the exact uses of the building in order to determine parking needs. Mr. Abaldo responded that this would be delineated on the plan. Ms. vanVuuren stated that neighbors had many concerns at the time of the first conversion. A lengthy discussion of those concerns followed.

Mr. Terrien noted that the Police and Public Works Departments had indicated they might have forthcoming comments on the project. Mr. Laustsen said he would like to have these comments prior to the next meeting. Mr. Root later produced the PW comments.

Mr. Terrien asked which of the two different outdoor light models would be used. Mr. Merriam said he would have to check on that. Mr. Swan asked the developer to consider turning down outside lights when not needed.

The PB reviewed the elements of the plan. An easement by the McLain School was noted and the applicant was asked to place water lines and the sewer connection on the plan. Mr. Terrien requested

elevations for the new retaining wall. Chair Laustsen said the PB encouraged more evergreen plantings to disguise headlights in the winter; he noted that the Performance Standards had the same requirement.

ACTION: Mr. Bodine made a motion to accept the application as complete with the additions of showing the water and sewer lines, clarification of the pole lights, showing the grades around the retaining wall, and distinguishing between existing and proposed plantings along the property lines.

Carried 5-0-0

A site walk was scheduled for April 23 at 5:00 P.M., followed by a public hearing at the regular meeting at 7:00 P.M.

B. 341 Park LLC – 341 Park Street – Application to Construct a 36,600 sq. ft. Addition to an Existing Warehouse – Site Plan Review – Tax Map #65-A-9: Engineer William Lane of Gartley & Dorsky Engineering & Surveying represented the application. He stated that 341 Park LLC owned both 341 and 345 Park Street, with a combined total of 4.82 acres. The proposal was to expand an existing warehouse by 36,600 sq. ft. in an Industrial Zone, where it was an allowable use.

Mr. Lane said operations were currently accessed from Park St. to a rear loading yard, which would be modified and relocated to the addition. The 210'X180' warehouse would continue to be used by current tenants Frito-Lay and FMC. The property abutted the county jail at 301 Park St.

The property drained to a quarry behind Pleasant St. on the west. A detention pond would handle increased flow. Mr. Lane said there were wetlands on the property but impact on them would be less than the NRPA threshold of 4,300 sq. ft. No wetland impact permit would be required, though a DEP Stormwater Permit by Rule would be required.

There would be a bathroom in the addition and the building would be sprinklered.

Mr. Terrien noted that Public Works Director Blackwell had indicated he might have comments on the project. Mr. Terrien said it was imperative that the board receive department comments and signoffs before it began to review projects. CEO Root said City Attorney Beal had reviewed the deed and identified a City ROW that should be indicated as such on the plan. Mr. Lane said a swale was located within the ROW. There was discussion and Mr. Root said Mr. Beal had indicated it would be the City's responsibility to deal with access if the swale were already in place.

Greg Blackwell had commented about investigating the 15" culvert at the property entrance. Mr. Swan now observed that the culverts were plugged up and ditches were not maintained. Mr. Lane noted that the property's runoff would be going off the back of the building, which was not near the culverts. Mr. Bodine asked that the ROW be mentioned in the notes, as well as on the plan location.

The PB reviewed the elements of the plan. Two new security cutoff lights would be located on the addition.

ACTION: Mr. Swan made a motion to accept the application as complete.

Carried 5-0-0

The board reviewed the standards. Mr. Lane said FMC had 3-10 truck visits per day and maintained 7 truck bodies on site. Frito-Lay had 5 route vans and 1 or 2 tractor-trailer deliveries per week. CEO Root asked for and received an explanation of how an 18-wheeler could back up to the ramp.

ACTION: Mr. Terrien made a motion to approve the standards.

Carried 5-0-0

Mr. Lane said there would be five allocated parking spaces with additional yard space for overflow. CEO Root noted that the ordinance required 19 spaces.

ACTION: Ms. vanVuuren made a motion that at this time the Planning Board required only 5 parking spaces, based on the existing and proposed use and with the availability of space for additional parking.
Carried 5-0-0

Chair Laustsen read aloud the 26 findings.

ACTION: Mr. Terrien made a motion to approve the findings.
Carried 5-0-0

ACTION: Mr. Bodine made a motion to approve the application with the condition that the City easement be shown, labeled, and referenced on the site plan.
Carried 5-0-0

Adjournment: Ms. vanVuuren made a motion to adjourn the meeting at 7:50 P.M.
Carried 5-0-0

Respectfully submitted,

Deborah Sealey
Recording Secretary